



Community Development  
Development Services Division  
501 SW Madison Avenue  
P.O. Box 1083  
Corvallis, OR 97339-1083  
(541) 766-6929  
TTY (541) 766-6477

## NOTICE OF VIOLATION

April 3, 2007

Rodney D. and Susan D. Napier  
2517 NW 9<sup>th</sup> St. #B  
Corvallis, OR 97330-1536

RE: VIO07-00047; 2517 NW 9<sup>th</sup> Street

Dear Mr. and Mrs. Napier;

Records from the Benton County Assessor's office indicate that you are the owner of the property at **2517 NW 9<sup>th</sup> Street**, here in Corvallis, Oregon. This letter is to inform you that a complaint was received regarding the pruning of required landscape trees on your referenced property, that a site visit was conducted, and that a violation of the Corvallis Land Development Code (LDC) was confirmed.

As conditions of approval for Lot Development Option case # 83-10, five landscape trees, *Gledetsia Triacanthos* 'Moraine' variety, were required to be planted in the landscape area along the 9<sup>th</sup> Street, western edge of the referenced property. The recent site inspection revealed that severe, unapproved pruning had recently been done to the four remaining trees, and two of the trees have had their roots also severely pruned. The southern most required tree has been removed, at some unknown time in the past. The City of Corvallis Urban Forester has reviewed the condition of the four remaining trees and has determined that significant damage has likely been done, due to the root and excessive limb pruning. It is anticipated that the vigor of all four trees may be negatively impacted, and that deterioration to total tree failure may eventually result.

Pursuant to the provisions of LDC Section 4.2.20.b, required landscaping, buffering, and screening shall be maintained by the property owner, and if removed shall be replaced in kind. The missing tree must be replanted, as indicated on the approved site plan for LDO #83-10, a copy of which I am including herewith for your records. It is recommended that tree planting be completed by the end of the month of April, to reduce the likelihood of transplant shock. Please be advised that the condition of the four remaining, required landscape trees will be monitored, and, should they fail, their replacement shall similarly be required.

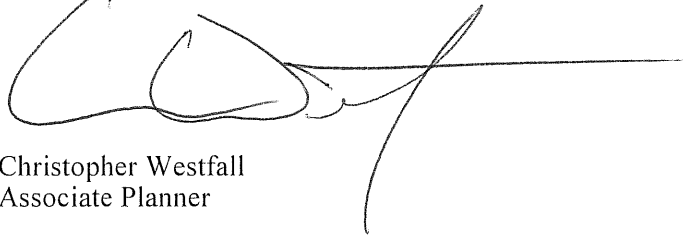
A further condition of approval for LDO #83-10 stipulated that the landscape area all along the edge of your property at 9<sup>th</sup> Street is to be densely planted with Ivy and *Prunus Laurocerasus* 'Otto Wyken' variety, as is also shown on the approved site plan for LDO #83-10. The recent site visit documented that this condition is not currently satisfied. Please ensure that the required landscape materials are properly installed by the end of the month of April, 2007.

2517 NW 9<sup>TH</sup> STREET  
RODNEY D. AND SUSAN D. NAPIER, OWNERS  
VIO07-00047

It is preferred that required tree planting take place between the months of November through April. That window of optimal planting is rapidly closing and I would very much appreciate your cooperation with this time period, to best ensure the health of the tree.

If you have any questions about this letter, or to schedule an inspection of the required landscape planting, please contact me at (541)-766-6729, ext. 5070. I very much appreciate your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Westfall', with a long horizontal line extending to the right.

Christopher Westfall  
Associate Planner

Enclosure

cc: Mike Fegles, Assistant Building Official  
Rebecca Merja, Urban Forester